

CHAPTER 308

HUMAN SERVICES - SOCIAL SERVICES

SENATE BILL 19-245

BY SENATOR(S) Gonzales, Tate;
 also REPRESENTATIVE(S) Tipper, Arndt, Buckner, Buentello, Caraveo, Cutter, Exum, Galindo, Hooton, Jaquez Lewis, Kipp,
 Kraft-Tharp, Michaelson Jenet, Mullica, Snyder, Titone, Valdez A.

AN ACT

CONCERNING GRANTING THE DEPARTMENT OF HUMAN SERVICES RULE-MAKING AUTHORITY TO AMEND THE LENGTH OF TIME PERMITTED TO SATISFY ADMINISTRATIVE APPEAL REQUIREMENTS FOR THE FOOD STAMP PROGRAM IN ORDER TO COMPLY WITH FEDERAL LAW.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **amend** 26-2-304 as follows:

26-2-304. Appeals - recoveries - rules. (1) The provisions of section 26-2-127, relating to appeals, and section 26-2-128, relating to recoveries, ~~shall~~ apply to the food stamp program, except when such sections conflict with federal statute or regulation or when a specific conflict with federal statute or regulation is not clearly present and the state department elects by regulation to follow federal statute or regulation.

(2) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, SECTION 26-2-127 (1)(a)(I), AND SECTION 24-4-105 (14)(a)(I), FOR PURPOSES OF THE FOOD STAMP PROGRAM, THE STATE DEPARTMENT MAY PROMULGATE RULES REQUIRING ANY PARTY TO FILE A NOTICE OF INTENT TO FILE EXCEPTIONS WITH THE STATE DEPARTMENT, IN WRITING, WITHIN FIVE DAYS AFTER SERVICE OF THE INITIAL DECISION UPON THE PARTY, OR OTHERWISE FORGO THE ABILITY TO FILE EXCEPTIONS.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 28, 2019

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.